



## Individual Rights



## VARIANCE REPORT

	FISCAL YEAR 2007-08				THREE MONTHS ENDED 09-30-08				NINE MONTHS ENDING 06-30-09			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
<b>RESEARCH &amp; DEVELOPMENT COSTS</b>												
<b>POSITIONS</b>												
<b>EXPENDITURES (\$1,000's)</b>												
<b>OPERATING COSTS</b>												
<b>POSITIONS</b>	603.00	531.00	- 72.00	12	619.00	544.00	- 75.00	12	619.00	612.00	- 7.00	1
<b>EXPENDITURES (\$1000's)</b>	70,720	59,924	- 10,796	15	15,595	13,528	- 2,067	13	56,106	60,861	+ 4,755	8
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	603.00	531.00	- 72.00	12	619.00	544.00	- 75.00	12	619.00	612.00	- 7.00	1
<b>EXPENDITURES (\$1000's)</b>	70,720	59,924	- 10,796	15	15,595	13,528	- 2,067	13	56,106	60,861	+ 4,755	8
					FISCAL YEAR 2007-08				FISCAL YEAR 2008-09			
					PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%
<b>PART II: MEASURES OF EFFECTIVENESS</b>												
1. % INSURER'S EXAM WKLD COMPL AT LEAST ONCE IN 5 YR					100	100	+ 0	0	100	100	+ 0	0
2. % INST EXAMND IN TIMELY MANNER PURS TO STAT RULES					95	90	- 5	5	95	92	- 3	3
3. % OF COMPLAINTS RESOLVED WITHIN 90 DAYS					97	95	- 2	2	97	95	- 2	2



## **VARIANCE REPORT NARRATIVE FY 2008 AND FY 2009**

**PROGRAM TITLE: INDIVIDUAL RIGHTS**

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### **PART I - EXPENDITURES AND POSITIONS**

Position Count: The variance in the Individual Rights Program position counts are due to vacancies pending recruitment and filling, as well as recruitment difficulties.

Expenditures: Variances are generally attributed to personnel expenditures being less than planned due to position vacancies. In addition, other expenses contingent on varying factors such as recovery claims and litigation costs contributed to this variance.

### **PART II - MEASURES OF EFFECTIVENESS**

See lowest level programs for explanation of variances



## VARIANCE REPORT

PROGRAM TITLE:

PROTECTION OF THE CONSUMER

PROGRAM-ID:

12/13/08

PROGRAM STRUCTURE NO: 1001

	FISCAL YEAR 2007-08				THREE MONTHS ENDED 09-30-08				NINE MONTHS ENDING 06-30-09			
	BUDGETED	ACTUAL	+ CHANGE	%	BUDGETED	ACTUAL	+ CHANGE	%	BUDGETED	ESTIMATED	+ CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
RESEARCH & DEVELOPMENT COSTS												
POSITIONS												
EXPENDITURES (\$1,000's)												
OPERATING COSTS												
POSITIONS	456.00	395.00	- 61.00	13	471.00	406.00	- 65.00	14	471.00	464.00	- 7.00	1
EXPENDITURES (\$1000's)	56,706	45,669	- 11,037	19	12,066	10,277	- 1,789	15	45,716	49,654	+ 3,938	9
TOTAL COSTS												
POSITIONS	456.00	395.00	- 61.00	13	471.00	406.00	- 65.00	14	471.00	464.00	- 7.00	1
EXPENDITURES (\$1000's)	56,706	45,669	- 11,037	19	12,066	10,277	- 1,789	15	45,716	49,654	+ 3,938	9
					FISCAL YEAR 2007-08				FISCAL YEAR 2008-09			
					PLANNED	ACTUAL	+ CHANGE	%	PLANNED	ESTIMATED	+ CHANGE	%
PART II: MEASURES OF EFFECTIVENESS												
1. % INSURER'S EXAM WKLD COMPL AT LEAST ONCE IN 5 YR					100	100	+ 0	0	100	100	+ 0	0
2. % INST EXAMND IN TIMELY MANNER PURS TO STAT RULES					95	90	- 5	5	95	92	- 3	3
3. % OF COMPLAINTS RESOLVED WITHIN 90 DAYS					97	95	- 2	2	97	95	- 2	2



Intermediate Level Program  
No Narrative  
(See Lowest Level Programs for Explanation of Variances)



## VARIANCE REPORT

PROGRAM TITLE:

REGULATION OF SERVICES

12/13/08

PROGRAM-ID:

PROGRAM STRUCTURE NO: 100103

	FISCAL YEAR 2007-08				THREE MONTHS ENDED 09-30-08				NINE MONTHS ENDING 06-30-09						
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%			
PART I: EXPENDITURES & POSITIONS															
RESEARCH & DEVELOPMENT COSTS															
POSITIONS															
EXPENDITURES (\$1,000's)															
OPERATING COSTS															
POSITIONS	240.00	206.00	-	34.00	14	255.00	216.00	-	39.00	15	255.00	252.00	-	3.00	1
EXPENDITURES (\$1000's)	37,127	28,437	-	8,690	23	7,542	5,977	-	1,565	21	30,367	33,259	+	2,892	10
TOTAL COSTS															
POSITIONS	240.00	206.00	-	34.00	14	255.00	216.00	-	39.00	15	255.00	252.00	-	3.00	1
EXPENDITURES (\$1000's)	37,127	28,437	-	8,690	23	7,542	5,977	-	1,565	21	30,367	33,259	+	2,892	10

					FISCAL YEAR 2007-08				FISCAL YEAR 2008-09					
					PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%		
PART II: MEASURES OF EFFECTIVENESS														
1. % INSURER'S EXAM WKLD COMPL AT LEAST ONCE IN 5 YR					100	100	+	0	0	100	100	+	0	0
2. % INST EXAMND IN TIMELY MANNER PURS TO STAT RULES					95	90	-	5	5	95	92	-	3	3
3. % OF COMPLAINTS RESOLVED WITHIN 90 DAYS					97	95	-	2	2	97	95	-	2	2



Intermediate Level Program  
No Narrative  
(See Lowest Level Programs for Explanation of Variances)



## STATE OF HAWAII

PROGRAM TITLE:

CABLE TELEVISION

PROGRAM-ID:

CCA-102

PROGRAM STRUCTURE NO: 10010301

## VARIANCE REPORT

REPORT V61

12/13/08

	FISCAL YEAR 2007-08				THREE MONTHS ENDED 09-30-08				NINE MONTHS ENDING 06-30-09			
	BUDGETED	ACTUAL	+ CHANGE	%	BUDGETED	ACTUAL	+ CHANGE	%	BUDGETED	ESTIMATED	+ CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
RESEARCH & DEVELOPMENT COSTS												
POSITIONS												
EXPENDITURES (\$1,000's)												
<b>OPERATING COSTS</b>												
POSITIONS	4.00	4.00	+ 0.00	0	4.00	4.00	+ 0.00	0	4.00	4.00	+ 0.00	0
EXPENDITURES (\$1000's)	3,632	1,142	- 2,490	69	248	109	- 139	56	984	1,156	+ 172	17
<b>TOTAL COSTS</b>												
POSITIONS	4.00	4.00	+ 0.00	0	4.00	4.00	+ 0.00	0	4.00	4.00	+ 0.00	0
EXPENDITURES (\$1000's)	3,632	1,142	- 2,490	69	248	109	- 139	56	984	1,156	+ 172	17
					FISCAL YEAR 2007-08				FISCAL YEAR 2008-09			
					PLANNED	ACTUAL	+ CHANGE	%	PLANNED	ESTIMATED	+ CHANGE	%
<b>PART II: MEASURES OF EFFECTIVENESS</b>												
1. % HOMES WHERE CABLE TV SERVICE AVAILABLE IN STATE					99	99	+ 0	0	99	99	+ 0	0
2. %COMPL BY CABLE TV COM SYS W/STATE & REG RPTG REQS					99	99	+ 0	0	99	99	+ 0	0
3. % COMPLAINTS ADDRESSED WITHIN 30 DAYS					99	99	+ 0	0	99	99	+ 0	0
<b>PART III: PROGRAM TARGET GROUP</b>												
1. HAWAII HOUSEHOLDS (000)					425	425	+ 0	0	425	425	+ 0	0
2. HAWAII BUSINESSES (000)					30	31	+ 1	3	31	31	+ 0	0
3. CABLE TELEVISION SUBSCRIBERS (000)					397	397	+ 0	0	397	414	+ 17	4
4. CABLE TELEVISION COMPANIES					2	2	+ 0	0	2	2	+ 0	0
5. PEG ACCESS ORGANIZATIONS					4	4	+ 0	0	4	4	+ 0	0
<b>PART IV: PROGRAM ACTIVITY</b>												
1. # POL & STDS PROCEEDINGS FOR CABLE COM SVCS (CCS)					2	2	+ 0	0	2	2	+ 0	0
2. # OF CATV APPLICATIONS REVIEWED BY CATV					1	1	+ 0	0	1	1	+ 0	0
3. # INSP, INVSTGN, COMPL REVIEWS BEGUN/ENDED BY CATV					12	12	+ 0	0	12	13	+ 1	8
4. # TESTMNS REL TO CABLE COM TO LEG, CONG, GOVT AGEN					10	10	+ 0	0	10	10	+ 0	0
5. # MTGS ON DEV, CONST, USE OF FACIL REL TO CCS					4	4	+ 0	0	4	4	+ 0	0
6. # OF COMPLAINTS AND INQUIRIES RECEIVED					225	230	+ 5	2	230	245	+ 15	7
7. # RATE FILINGS RECEIVED AND EXAMINED BY CATV					8	8	+ 0	0	8	8	+ 0	0
8. # OF INET PROJ REQUESTS RECEIVED/PROCESSED					50	50	+ 0	0	50	54	+ 4	8
9. # OF PEG ACCESS RELATED ACTIVITIES					250	260	+ 10	4	260	280	+ 20	8



## **VARIANCE REPORT NARRATIVE FY 2008 AND FY 2009**

10 01 03 01  
CCA 102

**PROGRAM TITLE: CABLE TELEVISION**

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### **PART I - EXPENDITURES AND POSITIONS**

FY 08 - \$2.4M for INET enhancements were funded from non-CATV CRF sources. These funds were cable franchise fees held in an interest bearing account by Oceanic Time Warner Cable of Hawaii.

FY 09 - Variance in 1st quarter appears to be primarily due to delays in processing a contract for legal services.

### **PART II - MEASURES OF EFFECTIVENESS**

No variances.

### **PART III - PROGRAM TARGET GROUPS**

No significant variances.

### **PART IV - PROGRAM ACTIVITIES**

No significant variances.



## STATE OF HAWAII

## VARIANCE REPORT

REPORT V61

PROGRAM TITLE:

CONSUMER ADVOCATE FOR COMM, UTIL &amp; TRAN SVC

12/13/08

PROGRAM-ID:

CCA-103

PROGRAM STRUCTURE NO: 10010302

PART I: EXPENDITURES & POSITIONS RESEARCH & DEVELOPMENT COSTS POSITIONS EXPENDITURES (\$1,000's)	FISCAL YEAR 2007-08				THREE MONTHS ENDED 09-30-08				NINE MONTHS ENDING 06-30-09						
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%			
OPERATING COSTS POSITIONS EXPENDITURES (\$1000's)	23.00 2,706	13.00 1,879	- -	10.00 827	43 31	23.00 609	13.00 443	- -	10.00 166	43 27	23.00 2,097	23.00 2,292	+ +	0.00 195	0 9
TOTAL COSTS POSITIONS EXPENDITURES (\$1000's)	23.00 2,706	13.00 1,879	- -	10.00 827	43 31	23.00 609	13.00 443	- -	10.00 166	43 27	23.00 2,097	23.00 2,292	+ +	0.00 195	0 9

PART II: MEASURES OF EFFECTIVENESS	FISCAL YEAR 2007-08				FISCAL YEAR 2008-09					
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%		
1. AV% DEC ON UTIL & TRANP AGREE W/DIV RECOMMENDATNS	80	80	+	0	0	80	80	+	0	0
2. CONS SAVINGS DUE TO PARTIC IN UTIL PROC (000'S)	10000	37167	+	27167	272	10000	623	-	9377	94
3. CONS SAV DUE TO PARTIC IN MOTOR CARR PROC (000'S)	NO DATA	NO DATA	+	0	0	NO DATA	NO DATA	+	0	0
4. CONS SAV DUE TO PARTIC IN WATER CARR PROC (000'S)	NO DATA	NO DATA	+	0	0	NO DATA	NO DATA	+	0	0
5. % PROCEDURAL DEADLINES MET	100	100	+	0	0	100	100	+	0	0
6. # PEOPLE REACHED THROUGH EDUC/OUTREACH EVENTS	300	3000	+	2700	900	300	3000	+	2700	900
7. # OF NEWSLETTERS/PUBLICATIONS DISTRIBUTED	300	2000	+	1700	567	300	2000	+	1700	567
8. # OF COMPLAINTS RESPONDED TO WITHIN 24 HOURS	24	24	+	0	0	24	24	+	0	0
9. % OF ALT ENERGY SOURCES USED BY ELECTRIC UTILITIES	14	16	+	2	14	14	16	+	2	14

PART III: PROGRAM TARGET GROUP										
1. DE FACTO POPULATION IN HAWAII (000'S)	1425	1425	+	0	0	1440	1440	+	0	0
2. # OF RESIDENTIAL ELECTRICAL METERS (000'S)	400	409	+	9	2	405	410	+	5	1
3. # OF NON-RESIDENTIAL USERS (000'S)	66	66	+	0	0	67	65	-	2	3
4. # OF ELECTRIC PUBLIC UTILITIES REGULATED BY PUC	4	4	+	0	0	4	4	+	0	0
5. # OF SUPPLIERS OF ELEC ENERGY TO ELEC PUB UTILS	24	22	-	2	8	24	22	-	2	8
6. # TELECOM COMMON CAR (FED & ST LIC) OPER IN HI	210	180	-	30	14	215	180	-	35	16
7. # PIPD GAS, WATR, WAST WATR PUB UTIL REG BY PUC	40	38	-	2	5	41	38	-	3	7
8. # PROP MOTOR CARRIER HLDG CERT PUBLIC CONV & NECSTY	453	588	+	135	30	453	595	+	142	31
9. # PASS CARRIERS HLDG CERT PUBLIC CONV & NESSTY	603	627	+	24	4	603	639	+	36	6
10. # WATER CARRIERS REGULATED BY PUC	3	4	+	1	33	3	4	+	1	33

PART IV: PROGRAM ACTIVITY										
1. # OF UTILITY GENERAL RATE APPL REVIEWED BY DIV	5	9	+	4	80	5	5	+	0	0
2. # OF GEN TARIFF CHGS FILED BY MOTR CARR REV BY DIV	100	193	+	93	93	100	36	-	64	64
3. # OF NON-RATE APPL BY UTIL COMP REV BY DIV	140	84	-	56	40	140	26	-	114	81
4. # OF INVST FOR QUAL SVC/OPR INTEG PARTIC IN BY DIV	2	2	+	0	0	2	2	+	0	0
5. # RULE-MKG PROC/GENERIC DCKTS PARTIC IN BY DIV	12	10	-	2	17	12	12	+	0	0
6. # OF EDUCATION/OUTREACH EVENTS ATTENDED	24	5	-	19	79	24	1	-	23	96
7. # OF NEWSLETTERS/PUBLICATIONS CREATED	3	3	+	0	0	3	1	-	2	67



## VARIANCE REPORT NARRATIVE FY 2008 AND FY 2009

10 01 03 02  
CCA 103

**PROGRAM TITLE: CONSUMER ADVOCATE FOR COMM, UTIL & TRAN SVC**

### **PART I - EXPENDITURES AND POSITIONS**

The variance in personal services budget and in position count is due to position vacancies, pending recruitment and filling, or recruitment difficulties. The Division recently completed a reorganization to amend positions and their descriptions to allow for closer alignment between actual job duties/qualifications and described duties/qualifications.

### **PART II - MEASURES OF EFFECTIVENESS**

Item 2: The variance reflects forecasting uncertainties from unknowns such as if and when a company will file an application, and when and how the Hawaii Public Utilities Commission ("PUC") will rule on it.

Item 3: Note that while the Division has successfully met all of its filing deadlines, it has done so with numerous requests for extension of time, which were granted by the PUC. These requests for extension of time were necessary due to the extreme staff shortfall experienced.

Item 4: A variance is reflected because we did not participate in any water carrier proceedings that will result in measureable savings during the fiscal period covered by this report.

Items 6 and 7 and Part IV Item 6: The Division has actively sought to increase consumer contact by concentrating appearances at events targeted to reach a greater number of utility consumers. In addition, the Division has actively marketed its quarterly newsletter, providing electronic versions to many more consumers.

Item 9: The variance reflects forecasting uncertainties from unknowns such as if and when facilities using non-fossil fuel will be constructed and how successfully consumers will participate in energy conservation programs such as solar water heating.

### **PART III - PROGRAM TARGET GROUPS**

Item 5: The number of independent power producers and renewable energy providers did not grow as quickly as estimated (based upon the

mandates of the renewable portfolio standards). This could be due to many factors including, among others, difficulty in siting or financing developments and/or failure to quickly negotiate power purchase agreements with the electric utilities.

Item 6: The number of telecommunications providers fluctuates each year as new carriers request certificates of authority or certificates of registration from the PUC. The numbers are also reduced as the PUC revokes carriers' authority for failure to comply with its laws, rules, or orders, or as carriers determine that it is not in their best interests to operate in the State and request to surrender authority to operate. Estimates were based on historical averages.

Item 8: Changes in the tourism and construction markets during the period may have contributed to the increased number of property carriers, since these kinds of carriers may carry anything from passenger baggage to construction equipment and dirt, among other things.

Item 10: Amount amended to reflect actual water carriers in the industry as of the fiscal year end.

### **PART IV - PROGRAM ACTIVITIES**

Items 1, 2, 3, and 5: Fewer non-rate applications were filed and a greater number of rate applications and tariff changes were filed with the PUC than originally estimated. Estimates were based on historical averages. Utilities commonly file rate applications when they are not achieving the rate of return authorized by the PUC, which may be caused by increased operating expenses or heavy infrastructure investment, among other things. The PUC opened fewer generic/investigative dockets than estimated. The opening of such dockets depends upon the PUC's general workload, the level of service provided by the utilities to their consumers, and the timing of the applications filed by the utilities. In addition, since the numbers in some instances are so small, any deviation would exceed the ten percent threshold.

Item 6: Please refer to narrative for Part II, Items 6 & 7.



**VARIANCE REPORT NARRATIVE  
FY 2008 AND FY 2009**

**PROGRAM TITLE: CONSUMER ADVOCATE FOR COMM, UTIL & TRAN SVC**

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**10 01 03 02  
CCA 103**



## STATE OF HAWAII

PROGRAM TITLE:

FINANCIAL INSTITUTION SERVICES

PROGRAM-ID:

CCA-104

PROGRAM STRUCTURE NO: 10010303

## VARIANCE REPORT

REPORT V61

12/13/08

	FISCAL YEAR 2007-08				THREE MONTHS ENDED 09-30-08				NINE MONTHS ENDING 06-30-09			
	BUDGETED	ACTUAL	+ CHANGE	%	BUDGETED	ACTUAL	+ CHANGE	%	BUDGETED	ESTIMATED	+ CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
<b>RESEARCH &amp; DEVELOPMENT COSTS</b>												
<b>POSITIONS</b>												
<b>EXPENDITURES (\$1,000's)</b>												
<b>OPERATING COSTS</b>												
<b>POSITIONS</b>	29.00	27.00	- 2.00	7	32.00	27.00	- 5.00	16	32.00	29.00	- 3.00	9
<b>EXPENDITURES (\$1000's)</b>	2,578	2,105	- 473	18	611	562	- 49	8	2,203	2,540	+ 337	15
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	29.00	27.00	- 2.00	7	32.00	27.00	- 5.00	16	32.00	29.00	- 3.00	9
<b>EXPENDITURES (\$1000's)</b>	2,578	2,105	- 473	18	611	562	- 49	8	2,203	2,540	+ 337	15
					FISCAL YEAR 2007-08				FISCAL YEAR 2008-09			
					PLANNED	ACTUAL	+ CHANGE	%	PLANNED	ESTIMATED	+ CHANGE	%
<b>PART II: MEASURES OF EFFECTIVENESS</b>												
1. % INST EXAMND IN TIMELY MANNER PURS TO STAT RULES					95	90	- 5	5	95	92	- 3	3
2. % COMPL FIN INST APPL PROC TIMELY & PURS TO STAT					95	91	- 4	4	95	95	+ 0	0
3. % WRITTEN INQS REVIEWED/PROCESSED W/IN 30 DAYS					90	90	+ 0	0	90	90	+ 0	0
4. % LIC RENWLS REVIEW/PROC TIMELY, PURS TO STDS					95	94	- 1	1	95	90	- 5	5
5. % AUDITED FINANCIAL STATEMTS REVIEWED W/IN 30 DAYS					85	79	- 6	7	90	90	+ 0	0
<b>PART III: PROGRAM TARGET GROUP</b>												
1. DE FACTO POPULATION IN HAWAII (000)					1425	1406	- 19	1	1440	1421	- 19	1
2. FIN INST, BRANCHES & OTHER OFFICES REGULATED					500	1543	+ 1043	209	500	1517	+ 1017	203
<b>PART IV: PROGRAM ACTIVITY</b>												
1. # FIN INST BRANCHES & OTHER OFFICES EXAMINED					290	284	- 6	2	290	236	- 54	19
2. # OF APPLCS OF FINAN INSTS REVIEWED					120	134	+ 14	12	120	110	- 10	8
3. # OF WRITTEN INQUIRIES RECEIVED					360	294	- 66	18	360	322	- 38	11
4. # OF LICENSES RENEWED					210	194	- 16	8	210	169	- 41	20
5. # AUDITED FIN STATEMENTS RECEIVED FOR REVIEW					57	52	- 5	9	57	52	- 5	9
6. # OF WRITTEN COMPLAINTS RECEIVED					95	86	- 9	9	95	90	- 5	5
7. # OF TELEPHONE/WALK-IN INQUIRIES RECEIVED					4400	4645	+ 245	6	4400	4600	+ 200	5



## VARIANCE REPORT NARRATIVE FY 2008 AND FY 2009

10 01 03 03  
CCA 104

### PROGRAM TITLE: FINANCIAL INSTITUTION SERVICES

#### **PART I - EXPENDITURES AND POSITIONS**

Position Count - First quarter FY 09 variance primarily due to 3 new positions for the money transmitter (MT) program that cannot be filled until after 12/2009 because of the delayed effective date of Act 195, 2008 SLH which was to provide funding for these new positions.

Expenditures - FY 08 and FY 09 variances are generally attributed to personnel expenditures being less than planned due to 4 positions that were filled in the latter part of FY 08, and position vacancies in FY 09.

#### **PART II - MEASURES OF EFFECTIVENESS**

No significant variances in FY 08 and FY 09.

#### **PART III - PROGRAM TARGET GROUPS**

Item 2. Because there were no reliable statistics of the number of MTs and the number of locations operated, the budgeted numbers for FY 08 and 09 included an estimate of 40 licensees with 3 offices each. However, as of FY 08, a total of 40 MTs with an average of 28 offices had been licensed. The estimated number for FY 09 was adjusted to reflect the greater number of offices per MT while also reflecting the decrease in number of offices of several nondepository financial services loan companies (NDFSLCs) and escrow depositories in FY 08 and FY 09 due to changes in their business models, the slowing real estate market in Hawaii, and the upheaval in the mortgage markets nationwide.

#### **PART IV - PROGRAM ACTIVITIES**

Item 1. Budgeted examinations for FY 09 were based on actual number of institutions and offices at the time of the projection. However since then, several NDFSLCs have closed a number of branches due to changes in their business models, the slowing real estate market in Hawaii, and the upheaval in the mortgage markets nationwide.

Item 2. Number of applications received varies widely from year to year. Budgeted number for FY 08 was based on the average of the actual

number of applications received in the 4 most recent fiscal years plus an additional 40 applications due to the new MT licensing program and increased activity by financial institutions and escrow depositories. However, actual FY 08 applications were greater than budgeted because there were more applications filed to close NDFSLC and escrow depository offices than originally anticipated.

Item 3. Written inquiries had been steadily increasing over the last several FYs, so FY 08 and FY 09 budgeted numbers anticipated a moderate, but continued increase because of the implementation of the new MT program. However actual inquiries in FY 08 were less than prior years. While the exact reasons for the decrease cannot be determined, it may be due to fewer inquiries about licensing requirements and application procedures due to the poor economic outlook. FY 09 estimate is based on the average of the actual number of inquiries received in the most recent 3 fiscal years.

Item 4. FY 09 budgeted number was based on no change in the number of financial institution and escrow depository licenses and an estimated 40 MT licenses to be renewed. However, the closure of many offices by NDFSLCs and escrow depositories beginning in FY 08 and continuing in FY 09 will result in a decrease in licenses that have to be renewed in FY 09.



## STATE OF HAWAII

## VARIANCE REPORT

REPORT V61

PROGRAM TITLE:

PROFESSIONAL &amp; VOCATIONAL LICENSING

12/13/08

PROGRAM-ID:

CCA-105

PROGRAM STRUCTURE NO: 10010304

	FISCAL YEAR 2007-08				THREE MONTHS ENDED 09-30-08				NINE MONTHS ENDING 06-30-09			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
RESEARCH & DEVELOPMENT COSTS												
POSITIONS												
EXPENDITURES (\$1,000's)												
<b>OPERATING COSTS</b>												
POSITIONS	60.00	53.00	- 7.00	12	60.00	53.00	- 7.00	12	60.00	60.00	+ 0.00	0
EXPENDITURES (\$1000's)	7,369	5,640	- 1,729	23	1,651	1,312	- 339	21	5,460	6,136	+ 676	12
<b>TOTAL COSTS</b>												
POSITIONS	60.00	53.00	- 7.00	12	60.00	53.00	- 7.00	12	60.00	60.00	+ 0.00	0
EXPENDITURES (\$1000's)	7,369	5,640	- 1,729	23	1,651	1,312	- 339	21	5,460	6,136	+ 676	12
					FISCAL YEAR 2007-08				FISCAL YEAR 2008-09			
					PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%
<b>PART II: MEASURES OF EFFECTIVENESS</b>												
1. % NEW LICENSES ISSUED WITHIN 10-12 BUSINESS DAYS					95	92	- 3	3	95	95	+ 0	0
2. % LICENSEES RENEWED WITHIN 10-12 BUSINESS DAYS					97	98	+ 1	1	97	97	+ 0	0
3. % PVL-PROPOSED LEGISLATIVE MEASURES ENACTED					90	60	- 30	33	90	0	- 90	100
<b>PART III: PROGRAM TARGET GROUP</b>												
1. DE FACTO POPULATION IN HAWAII (000)					1425	1406	- 19	1	1440	1421	- 19	1
2. PERS/BUS LIC BY PVL'S REG BDS, COMS & PROG					310500	315630	+ 5130	2	319815	329000	+ 9185	3
3. PERS/BUS SEEKING LICENSES FROM PVL					14500	14507	+ 7	0	14500	13500	- 1000	7
4. REG BOARDS, COMMISSIONS, PROG ASSIGNED TO PVL					45	46	+ 1	2	45	46	+ 1	2
<b>PART IV: PROGRAM ACTIVITY</b>												
1. # OF PROF & VOC APPLICATIONS RECEIVED					17000	14507	- 2493	15	17000	14000	- 3000	18
2. # OF EXAMINEES & REEXAMINEES					10700	9580	- 1120	10	10700	10060	- 640	6
3. # OF APPLICANTS LICENSED					15000	13083	- 1917	13	15000	13000	- 2000	13
4. # OF PERMITS ISSUED					2500	2675	+ 175	7	2500	2450	- 50	2
5. # OF LICENSES RENEWED					47000	56128	+ 9128	19	60000	50000	- 10000	17
6. # OF UPDATE TRANSACTIONS FOR LICENSES					209000	203463	- 5537	3	209000	205000	- 4000	2
7. # CONDO REQUESTS, APPLS, REPORTS & EDUC OFFERINGS					62500	58377	- 4123	7	62500	62500	+ 0	0
8. # OF REAL ESTATE REQUESTS AND EDUC OFFERINGS					101650	126086	+ 24436	24	101650	101650	+ 0	0
9. # OF SUBDIVISION FILINGS RECEIVED					13	9	- 4	31	13	11	- 2	15
10. # OF EXAMS & EXAM PROC DEV, MODIFIED OR REVIEWED					28	29	+ 1	4	28	28	+ 0	0



## VARIANCE REPORT NARRATIVE FY 2008 AND FY 2009

10 01 03 04  
CCA 105

### PROGRAM TITLE: PROFESSIONAL & VOCATIONAL LICENSING

#### PART I - EXPENDITURES AND POSITIONS

Position Count: The variance resulted from position vacancies pending recruitment and filling.

Expenditures: The variance is generally attributed to position vacancies and recovery claims. Recovery claims are contingent on the number of claims filed and the nature of the claims.

mailed out to real estate licensees.

Item 9. The variance is due to Hawaii's economic situation where developers are less inclined to develop and register subdivisions in a soft economy.

#### PART II - MEASURES OF EFFECTIVENESS

Item 3. The variance is due to only three legislative proposals being enacted out of a total of five proposals submitted by PVL.

#### PART III - PROGRAM TARGET GROUPS

No significant variances.

#### PART IV - PROGRAM ACTIVITIES

Item 1. The variance decrease is due to economic conditions which engendered a decrease in applications received in the areas of mortgage, massage, cosmetology, motor vehicle industry, and real estate.

Item 2. The variance decrease is due to the increase in mobility of licensure exam requirements amongst other states, which allows applicants to transfer exam scores from other states to Hawaii.

Item 3. The variance decrease is due to economic conditions which engendered a decrease in applications received in the areas of mortgage, massage, cosmetology, motor vehicle industry, and real estate, which resulted in a decrease of licenses issued.

Item 5. The variance increase is due to the increased number of current licensees which resulted in an increase in the number of licenses renewed.

Item 8. The variance is due to an additional Real Estate Bulletin that was



## STATE OF HAWAII

PROGRAM TITLE:

PUBLIC UTILITIES COMMISSION

PROGRAM-ID:

BUF-901

PROGRAM STRUCTURE NO: 10010305

## VARIANCE REPORT

REPORT V61

12/13/08

	FISCAL YEAR 2007-08				THREE MONTHS ENDED 09-30-08				NINE MONTHS ENDING 06-30-09			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
<b>RESEARCH &amp; DEVELOPMENT COSTS</b>												
<b>POSITIONS</b>												
<b>EXPENDITURES (\$1,000's)</b>												
<b>OPERATING COSTS</b>												
<b>POSITIONS</b>	44.00	35.00	- 9.00	20	55.00	46.00	- 9.00	16	55.00	55.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	8,696	7,525	- 1,171	13	2,492	1,788	- 704	28	7,938	8,840	+ 902	11
<b>TOTAL COSTS</b>												
<b>POSITIONS</b>	44.00	35.00	- 9.00	20	55.00	46.00	- 9.00	16	55.00	55.00	+ 0.00	0
<b>EXPENDITURES (\$1000's)</b>	8,696	7,525	- 1,171	13	2,492	1,788	- 704	28	7,938	8,840	+ 902	11
					FISCAL YEAR 2007-08				FISCAL YEAR 2008-09			
					PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%
<b>PART II: MEASURES OF EFFECTIVENESS</b>												
1. % RATE CASES COMPLTD W/IN APPLIC STATUTORY TIME PD					100	100	+ 0	0	100	100	+ 0	0
2. % NON-RATE MATTERS COMPLTD W/IN APPLC STATU/REG PD					100	100	+ 0	0	100	100	+ 0	0
3. % INFORMAL COMPLAINT RESOLVED IN REASONABLE TIME					90	82	- 8	9	90	90	+ 0	0
4. NO. REPORTED ACCIDENTS INVOLVING UTILITY EMPLOYEES					198	175	- 23	12	198	175	- 23	12
5. AV NO. ELECTRIC SVC INTERRUPTNS PER CUSTOMER SVCD					2	2	+ 0	0	2	2	+ 0	0
6. NO. TELECOMM SVC DISRUPTNS LONGER THAN 1 HR					1	4	+ 3	300	1	2	+ 1	100
<b>PART III: PROGRAM TARGET GROUP</b>												
1. ELECTRIC AND GAS COMPANIES					5	5	+ 0	0	5	5	+ 0	0
2. PROPERTY CARRIERS					451	588	+ 137	30	451	500	+ 49	11
3. PASSENGER CARRIERS					597	627	+ 30	5	597	600	+ 3	1
4. WATER COMMON CARRIERS					4	4	+ 0	0	4	4	+ 0	0
5. PRIVATE WATER AND WASTEWATER UTILITY COMPANIES					36	37	+ 1	3	36	37	+ 1	3
6. TELECOMMUNICATIONS COMPANIES					211	178	- 33	16	211	150	- 61	29
7. OPERATORS OF SUBSURFACE INSTALLATIONS					80	80	+ 0	0	80	80	+ 0	0
8. PETROLEUM DISTRIBUTORS					15	27	+ 12	80	15	27	+ 12	80
<b>PART IV: PROGRAM ACTIVITY</b>												
1. NUMBER OF APPLICATIONS FILED					400	385	- 15	4	400	400	+ 0	0
2. NO. DECISIONS/ORDERS & ORDERS ISSUED DOCKETD MATTR					800	751	- 49	6	800	800	+ 0	0
3. NO. OF PUBLIC HEARINGS AND CONTESTED CASE HEARINGS					41	14	- 27	66	41	25	- 16	39
4. NUMBER OF CITATIONS ISSUED					240	30	- 210	88	240	100	- 140	58
5. NUMBER OF INFORMAL COMPLAINTS FILED					600	487	- 113	19	600	500	- 100	17



## VARIANCE REPORT NARRATIVE FY 2008 AND FY 2009

10 01 03 05  
BUF 901

**PROGRAM TITLE: PUBLIC UTILITIES COMMISSION**

### **PART I - EXPENDITURES AND POSITIONS**

FY 2007-08

The variance in expenditures and positions in FY 08 were primarily due to nine (9) vacant positions and lower actual travel, training and photography/photocopy expenses. The vacant positions were pending classification actions and a review of operational requirements

FY 2008-09

Expenditure and positions - The 1st quarter variance in positions was due to nine (9) vacant positions. These positions are planned to be filled by fiscal year end with due consideration given to Executive Policy currently in place. The variance in expenditures is primarily due to the nine (9) vacant positions and the deferral of 1st quarter budgeted funds for equipment that will be expended in the 2nd quarter. For the remainder of FY 09, we are anticipating to expend funds as planned.

### **PART II - MEASURES OF EFFECTIVENESS**

Decrease in (Item 4) is due to improved compliance with OSHA regulations. The estimate for FY 2009 is also decreased accordingly.

Increase in (Item 6) is primarily due to exclusive events; wildfires and inclement weather conditions which caused damage to Hawaiian Telcom facilities during FY 2008. The estimate for FY 2009 reflects a higher number of telecom service disruptions, but at a moderate level.

### **PART III - PROGRAM TARGET GROUPS**

Increase in (Item 2) is primarily due to an increase in property carrier applications on the island of Oahu where the economy remained strong though the end of FY 2008. The FY 2009 estimate reflects a continued higher number of property carrier applications, but at a moderate level.

Decrease in (Item 6) is due to telecommunication service resellers surrendering their licenses due to company mergers and/or decisions to

discontinue business in Hawaii. The FY 2009 estimate is also decreased accordingly.

Increase in (Item 8), for both FY 08 and FY 09 is primarily due to the ability of the Commission to further clarify and identify entities that should be classified as petroleum distributors.

### **PART IV - PROGRAM ACTIVITIES**

Decrease in (Item 3) is due to parties settling docket cases and a decrease in the number of citations issued primarily for motor carriers thus, decreasing the need for contested case hearings during FY 2008. The FY 2009 estimate is also decreased accordingly.

Decrease in (Item 4) is primarily due to the loss of two (2) investigative staff members and the apparent increase in compliance by transportation companies during FY 2008. The estimate for FY 2009 is also decreased accordingly.

Decrease in (Item 5) is due to the decrease of telecommunication informal complaints filed against the incumbent Local Exchange Carrier as the company addressed issues to stabilize the new system structures during FY 2008. The estimate for FY 2009 is also decreased accordingly.



## STATE OF HAWAII

PROGRAM TITLE:

INSURANCE REGULATORY SERVICES

PROGRAM-ID:

CCA-106

PROGRAM STRUCTURE NO: 10010306

## VARIANCE REPORT

REPORT V61

12/13/08

	FISCAL YEAR 2007-08				THREE MONTHS ENDED 09-30-08				NINE MONTHS ENDING 06-30-09			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
RESEARCH & DEVELOPMENT COSTS												
POSITIONS												
EXPENDITURES (\$1,000's)												
<b>OPERATING COSTS</b>												
POSITIONS	80.00	74.00	- 6.00	8	81.00	73.00	- 8.00	10	81.00	81.00	+ 0.00	0
EXPENDITURES (\$1000's)	12,146	10,146	- 2,000	16	1,931	1,763	- 168	9	11,685	12,295	+ 610	5
<b>TOTAL COSTS</b>												
POSITIONS	80.00	74.00	- 6.00	8	81.00	73.00	- 8.00	10	81.00	81.00	+ 0.00	0
EXPENDITURES (\$1000's)	12,146	10,146	- 2,000	16	1,931	1,763	- 168	9	11,685	12,295	+ 610	5
					FISCAL YEAR 2007-08				FISCAL YEAR 2008-09			
					PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%
<b>PART II: MEASURES OF EFFECTIVENESS</b>												
1. % OF COMPLAINTS RESOLVED WITHIN 90 DAYS					97	95	- 2	2	97	95	- 2	2
2. % INSURER'S EXAM WKLD COMPL AT LEAST ONCE IN 5 YR					100	100	+ 0	0	100	100	+ 0	0
3. % CAPTIVE INSUR EXAM WKLD CMP EV 3 YR OR W/IN 5 YR					75	59	- 16	21	85	70	- 15	18
4. % RATE/POL FILINGS REVIEWED W/IN STAT TIME REQMTS					95	95	+ 0	0	95	95	+ 0	0
5. % MV INSURANCE FRAUD CASES INDICTED BY STATE					100	100	+ 0	0	100	100	+ 0	0
6. % CHANGE FROM PRIOR YEAR IN # OF CAPTIVE LICENSEES					6.1	1.0	- 5.1	84	5.7	4.0	- 1.7	30
<b>PART III: PROGRAM TARGET GROUP</b>												
1. DE FACTO POPULATION IN HAWAII (000)					1425	1406	- 19	1	1440	1421	- 19	1
2. INSURER LICENSEES REGULATED BY INSURANCE DIV					30659	979	- 29680	97	32174	990	- 31184	97
3. CAPTIVE LICENSEES REGULATED BY INSURANCE DIVISION					174	164	- 10	6	184	174	- 10	5
4. OTHER LICENSEES REGULATED BY INSURANCE DIVISION					30485	37038	+ 6553	21	31990	40000	+ 8010	25
5. MOTOR VEHICLES SUBJECT TO INS REGULATIONS (000)					858	926	+ 68	8	858	926	+ 68	8
<b>PART IV: PROGRAM ACTIVITY</b>												
1. # OF INSURER REPTS ANALYZD FOR HJUP RATE MAKING					23	73000	+ 72977	317291	23	23	+ 0	0
2. # OF LICENSE APPL, RENEWALS & UPDATES PROCESSED					159504	116194	- 43310	27	161557	120000	- 41557	26
3. # OF COMPLAINTS					930	702	- 228	25	930	780	- 150	16
4. # FRAUD REFER & COMPLAINTS OPEN FOR INVESTIGATIONS					50	64	+ 14	28	55	55	+ 0	0
5. # INFORM BRFGS & CAPTIVE DEV ACTIVITIES DURING YR					12	30	+ 18	150	12	24	+ 12	100
6. # OF ANNUAL COMPANY FILINGS PROCESSED					3214	2276	- 938	29	3294	1987	- 1307	40
7. # INSUR & CAPTIVES APPL FOR CERT OF AUTH REVIEWED					40	11	- 29	73	40	10	- 30	75
8. # OF EXAMS OF DOMESTIC INS & INS-TYPE ENTITIES					66	34	- 32	48	75	35	- 40	53
9. # INSURER & ISSUER RATE & POLICY FILINGS ANALYZED					7100	8273	+ 1173	17	7100	7100	+ 0	0
10. # OF PREMIUM TAX STATEMENTS FILED					6359	7312	+ 953	15	6396	7312	+ 916	14



## VARIANCE REPORT NARRATIVE FY 2008 AND FY 2009

10 01 03 06  
CCA 106

### PROGRAM TITLE: INSURANCE REGULATORY SERVICES

#### PART I - EXPENDITURES AND POSITIONS

Position Count: The variance resulted from position vacancies pending recruitment and filling, or recruitment difficulties.

Expenditures: The variance is generally attributed to position vacancies and unexpended funds for personal services on a fee basis, including contingent costs for insolvencies.

#### PART II - MEASURES OF EFFECTIVENESS

Item 3. The decrease in percentage of expected captive examination completion is due to a combination of factors. The original estimate did not contemplate the transfer of 16 multi-state risk retention groups (RRG) and surveillance to Captive Branch in 11/07; the inability to fill vacant examination position; and the allocation of limited resources to administer 1) supervision and 2) liquidation of captives. Future cost and effectiveness should be fine as long as Captive Branch is allowed to properly staff vacant positions.

Item 6. Decrease in % change from # of captives licensed since 2006 is due to the softening commercial insurance market and increased competition from about 30 states that have recently enacted captive laws. Timely and efficient allocation of resources for professional staffing and promotional activities will be necessary to enhance effectiveness and increase # of captive licensees

#### PART III - PROGRAM TARGET GROUPS

Item 2. The drastic difference in numbers results from the separation of insurance companies licenses from producer licenses. The category "Insurance Licenses" refers to insurance companies which number around 980. Producer licenses are now classified under the "Other Licensees" and there are 37,038 producers.

Item 4. Non-resident producer licenses have continued to increase greatly since the amendment in the licensing statute that repealed the

requirement for non-resident producers to pass a written exam to qualify for a license in Hawaii. Since the amendment became effective in FY 02, the number of licenses issued to non-resident producers has increased from 1,875 in FY 02 to 11,307 in FY 04, to 14,502 in FY 05, to 17,424 in FY 06, and to 28,148 in FY 08. These yearly increases were larger than expected.

#### PART IV - PROGRAM ACTIVITIES

Item 1. The variance arose due to the continued receipt of paper filings, it was hoped that the statistical agent, AIPSO would compile the data for the Hawaii Joint Underwriting Plan (HJUP).

Item 2. The variance is primarily due to the decrease in the average number of updates required for licensees. Updates for the producer and non-resident producer licensees' appointments and address changes in the past averaged approximately six transactions per licensee. This has dropped to around five per licensee.

Item 3. The number of motor vehicle complaints continues to drop which is the primary reason for the variance.

Item 4. The planned figure was based on the actual results from the prior FY. The number of investigations opened in FY 08 was more than the prior FY.

Item 5. Concerted efforts to significantly increase informational briefings for existing and prospective captive licensees and other development activities were undertaken to minimize potential threats from growing competition from new captive domiciles and softening commercial insurance market. Estimated cost of this increased level of development activity in FY 08-09 should be achievable within the currently budgeted amount.

Item 6. The statutory requirement for foreign insurers to file quarterly financial statements was repealed in FY 03. The variance can be attributed to not having to process the quarterly financial statements.



## **VARIANCE REPORT NARRATIVE FY 2008 AND FY 2009**

**PROGRAM TITLE: INSURANCE REGULATORY SERVICES**

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**10 01 03 06  
CCA 106**

Item 7. New captive licensees have declined since 6/30/06 due to the softening of the commercial insurance market and increased competition from about 30 states that have recently enacted captive laws. Future costs may need to be allocated to digital and web-based technology, and focused on Asian market, as Hawaii continues to attract a growing number of new licensees from Japan and Asia.

Item 8. The variance for the FY 08 is due to a change in the statute. The change extended the minimum examination period from once every three years to once every five years. As a result, the estimated number of scheduled exams was reduced.

Item 9. The planned figure was based on FY 04 results. The increase in the number of actual filings may be due to market conditions and competitive premium pricing.

Item 10. The number of premium tax statements filings have increased due to the increase in new insurers being admitted.



## VARIANCE REPORT

	FISCAL YEAR 2007-08				THREE MONTHS ENDED 09-30-08				NINE MONTHS ENDING 06-30-09			
	BUDGETED	ACTUAL	+ CHANGE	%	BUDGETED	ACTUAL	+ CHANGE	%	BUDGETED	ESTIMATED	+ CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
RESEARCH & DEVELOPMENT COSTS												
POSITIONS												
EXPENDITURES (\$1,000's)												
OPERATING COSTS												
POSITIONS	171.00	146.00	- 25.00	15	171.00	147.00	- 24.00	14	171.00	167.00	- 4.00	2
EXPENDITURES (\$1000's)	14,063	12,225	- 1,838	13	3,235	3,056	- 179	6	10,923	11,722	+ 799	7
TOTAL COSTS												
POSITIONS	171.00	146.00	- 25.00	15	171.00	147.00	- 24.00	14	171.00	167.00	- 4.00	2
EXPENDITURES (\$1000's)	14,063	12,225	- 1,838	13	3,235	3,056	- 179	6	10,923	11,722	+ 799	7
					FISCAL YEAR 2007-08				FISCAL YEAR 2008-09			
					PLANNED	ACTUAL	+ CHANGE	%	PLANNED	ESTIMATED	+ CHANGE	%
PART II: MEASURES OF EFFECTIVENESS												
1. NO MEASURES HAVE BEEN DEVELOPED FOR THIS PROGRAM					NO DATA	NO DATA	+ 0	0	NO DATA	NO DATA	+ 0	0



Intermediate Level Program  
No Narrative  
(See Lowest Level Programs for Explanation of Variances)



## STATE OF HAWAII

## VARIANCE REPORT

REPORT V61

PROGRAM TITLE: OFFICE OF CONSUMER PROTECTION

12/13/08

PROGRAM-ID: CCA-110

PROGRAM STRUCTURE NO: 10010401

	FISCAL YEAR 2007-08				THREE MONTHS ENDED 09-30-08				NINE MONTHS ENDING 06-30-09						
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%			
PART I: EXPENDITURES & POSITIONS															
RESEARCH & DEVELOPMENT COSTS															
POSITIONS															
EXPENDITURES (\$1,000's)															
OPERATING COSTS															
POSITIONS	16.00	13.00	-	3.00	19	16.00	13.00	-	3.00	19	16.00	16.00	+	0.00	0
EXPENDITURES (\$1000's)	1,651	1,423	-	228	14	364	306	-	58	16	1,287	1,420	+	133	10
TOTAL COSTS															
POSITIONS	16.00	13.00	-	3.00	19	16.00	13.00	-	3.00	19	16.00	16.00	+	0.00	0
EXPENDITURES (\$1000's)	1,651	1,423	-	228	14	364	306	-	58	16	1,287	1,420	+	133	10
					FISCAL YEAR 2007-08				FISCAL YEAR 2008-09						
					PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%			
PART II: MEASURES OF EFFECTIVENESS															
1. # CONSUMERS DIRECTLY AFFECTED BY OFFICE ACTN (000)					30	28	-	2	7	30	28	-	2	7	
2. # BUSINESSES DIRECTLY AFFECTED BY OFFICE INVSTGTNS					1000	1000	+	0	0	1000	1000	+	0	0	
3. \$ AMT OF FINES ASSESSED OR COSTS IMPOSED (000)					1900	1673	-	227	12	1900	1673	-	227	12	
4. # DISPUTES HANDLED THRU ALT DISPUTE RESOLUTION					100	105	+	5	5	100	105	+	5	5	
PART III: PROGRAM TARGET GROUP															
1. RESIDENT STATE POPULATION (000)					1300	1300	+	0	0	1300	1300	+	0	0	
2. VISITORS TO HAWAII (000)					7000	7000	+	0	0	7000	7000	+	0	0	
PART IV: PROGRAM ACTIVITY															
1. # OF CONSUMER COMPLAINTS REC (EXCL LANDLD/TENANT)					1500	1000	-	500	33	1500	1000	-	500	33	
2. # OF COMPLAINTS INITIATED BY OCP					55	76	+	21	38	55	76	+	21	38	
3. # OF LANDLORD-TENANT DISPUTES PROCESSED					10000	8000	-	2000	20	10000	8000	-	2000	20	
4. # OF COMPLNTS RESOLVED AT INVESTIGATIVE LEVEL					700	700	+	0	0	700	700	+	0	0	
5. # OF LEGAL ACTIONS					15	19	+	4	27	15	19	+	4	27	
6. # INQ RECVD ON BUSINESS COMPLAINT HISTORIES					6000	5000	-	1000	17	6000	5000	-	1000	17	
7. # PERSONS REACHED THRU EDUCATIONAL EFFORTS					5000	13000	+	8000	160	5000	13000	+	8000	160	
8. # LEG PROP FOR WHICH OCP PROVIDED TESTIMONY					20	18	-	2	10	20	18	-	2	10	



## **VARIANCE REPORT NARRATIVE FY 2008 AND FY 2009**

10 01 04 01  
CCA 110

### **PROGRAM TITLE: OFFICE OF CONSUMER PROTECTION**

#### **PART I - EXPENDITURES AND POSITIONS**

Positions: The variance resulted from position vacancies pending recruitment and filling, or recruitment difficulties.

Expenditures: The variance is generally attributed to position vacancies and unexpended litigation funds. Litigation costs are contingent on the number of complaints filed and the nature of the complaints.

Item 7. Increased efforts to reach consumers through internet site, press releases, television and radio interviews, fairs and other outreach.

#### **PART II - MEASURES OF EFFECTIVENESS**

Item 3. Decrease reflects OCP's commitment to maximize the amount of restitution to consumers adversely affected by unfair or deceptive trade practices by prioritizing the recovery of consumer restitution over the imposition of penalties.

#### **PART III - PROGRAM TARGET GROUPS**

Items 1 and 2. Figures from the Department of Business, Economic Development, and Tourism (DBEDT) (extrapolated). The visitor count is based on monthly totals as calculated and disseminated by DBEDT.

#### **PART IV - PROGRAM ACTIVITIES**

Item 1. Decrease in number of complaints impacted by fewer companies engaging in unfair or deceptive trade practices.

Item 2. Reflects more proactive effort to initiate cases by OCP.

Item 3. Decreased number of inquiries appears to be related to an increased usage of the internet for Landlord-Tenant information.

Item 5. Increased effort to initiate legal action against companies violating Hawaii's consumer protection laws.

Item 6. Increased number of inquiries made via the internet has diminished the number of telephone inquiries.







## **VARIANCE REPORT NARRATIVE FY 2008 AND FY 2009**

10 01 04 02  
AGR 812

**PROGRAM TITLE: MEASUREMENT STANDARDS**

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### **PART I - EXPENDITURES AND POSITIONS**

Variance in positions was due to the lack of qualified applicants to fill positions.

### **PART II - MEASURES OF EFFECTIVENESS**

Items 2, 5 - Variance due to vacancies in inspection staff.

Item 7 - Variance due to emphasis placed on higher priority activities.

Item 8, 9 - Variance due to number of compliant packages and labels submitted for review.

### **PART III - PROGRAM TARGET GROUPS**

No significant variances.

### **PART IV - PROGRAM ACTIVITIES**

Items 1, 2, 3, 5, 6- Variance due to vacancies in inspection staff.

Items 7, 8, 9 - Variance due to emphasis placed on higher priority activities.



## STATE OF HAWAII

## VARIANCE REPORT

REPORT V61

PROGRAM TITLE:

BUSINESS REGISTRATION &amp; SECURITIES REGULATN

12/13/08

PROGRAM-ID:

CCA-111

PROGRAM STRUCTURE NO: 10010403

PART I: EXPENDITURES & POSITIONS RESEARCH & DEVELOPMENT COSTS POSITIONS EXPENDITURES (\$1,000's)	FISCAL YEAR 2007-08				THREE MONTHS ENDED 09-30-08				NINE MONTHS ENDING 06-30-09						
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%			
OPERATING COSTS POSITIONS EXPENDITURES (\$1000's)	75.00 6,440	65.00 5,561	- -	10.00 879	13 14	75.00 1,531	64.00 1,447	- -	11.00 84	15 5	75.00 4,974	75.00 5,401	+ +	0.00 427	0 9
TOTAL COSTS POSITIONS EXPENDITURES (\$1000's)	75.00 6,440	65.00 5,561	- -	10.00 879	13 14	75.00 1,531	64.00 1,447	- -	11.00 84	15 5	75.00 4,974	75.00 5,401	+ +	0.00 427	0 9

PART II: MEASURES OF EFFECTIVENESS	FISCAL YEAR 2007-08				FISCAL YEAR 2008-09					
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%		
1. AV DAYS PROC CORP,PART,LLC,TRADE NM W/EXPED HANDLG	1	1	+	0	0	1	1	+	0	0
2. AV DAYS PROC CORP,PART,LLC,TRADE NM W/ REG HANDLG	3	3	+	0	0	3	3	+	0	0
3. AV DAYS PROC APPS FOR BROKER/DEALERS/INV ADVISORS	25	25	+	0	0	25	25	+	0	0
4. AV DAYS TO PROCESS APPLICS FOR SALESPERSONS	15	15	+	0	0	15	15	+	0	0
5. AV DAYS TO PROCESS APPS FOR INVESTMT ADVISERS REPS	15	15	+	0	0	15	15	+	0	0
6. AVG AGE OF CASES PENDING IN INVESTIGATIONS SECTION	640	459	-	181	28	640	450	-	190	30
7. AVG AGE OF CASES PENDING IN LEGAL SECTION	365	595	+	230	63	365	550	+	185	51
8. AVG AGE OF ALL CASES PENDING IN ENFORCEMENT	365	527	+	162	44	365	500	+	135	37
9. TOTAL DOLLAR AMOUNT OF PENALTIES IMPOSED	375000	81500	-	293500	78	375000	1250000	+	875000	233
10. TOTAL DOLLAR AMOUNT OF FINES COLLECTED	100000	35000	-	65000	65	100000	10000	-	90000	90

PART III: PROGRAM TARGET GROUP															
1. CORP, PART, LLC,TRNAMES, TRMKS,SVC MKS ON REC(000)	152000	169273	+	17273	11	156000	170000	+	14000	9					
2. DLRS, SALES, SECURITY OFF, FRANCH, INV ADV & REPS	80000	77243	-	2757	3	83000	70000	-	13000	16					

PART IV: PROGRAM ACTIVITY															
1. # DOCS FOR PROC & ANN REPTS, STMTS SENT OUT BY DRB	63000	59069	-	3931	6	66000	13684	-	52316	79					
2. # SECURITIES COMPLIANCE APPLICATIONS RECEIVED	35000	32741	-	2259	6	37000	30000	-	7000	19					
3. # ENFORCE CASES OPENED FOR INVES DESIGN TIME PER	75	77	+	2	3	75	65	-	10	13					
4. # DISCIPLINARY/ENFORCE-RELATED INQUIRIES RECEIVED	2000	1540	-	460	23	2000	1575	-	425	21					
5. # OF COMPLTS RESOLVED AT INVESTIGATIVE LEVEL IN FY	60	72	+	12	20	60	60	+	0	0					
6. # ENFORCEMENT CASES CLOSED DURING THE FISCAL YR	35	49	+	14	40	35	45	+	10	29					



## VARIANCE REPORT NARRATIVE FY 2008 AND FY 2009

10 01 04 03  
CCA 111

**PROGRAM TITLE: BUSINESS REGISTRATION & SECURITIES REGULATN**

### **PART I - EXPENDITURES AND POSITIONS**

Positions: The variance resulted from the shortness of the hiring lists, the lengthy period involved in recruitment and hiring, and the resignation of several employees. The division expects to fill these vacancies in FY 09, but also expects that there will be retirements or additional resignations creating new vacancies.

Expenditures: The variance in expenditure was due in part to a delay in expenditure for a large IT project that has been shifted into the second quarter of FY 09, the unexpected vacancy positions and the delay in filling these positions.

### **PART II - MEASURES OF EFFECTIVENESS**

Item 6. Average age of a case pending in investigation at the end of the fiscal year was overestimated. The reduced average age of a case pending in investigation was in part due to internal procedures to reduce pending times.

Item 7. Average age of a case pending in legal section at the end of the fiscal year was underestimated. Position vacancy in the legal section pending recruitment resulted in a backlog and delay of cases being closed. In addition, the legal section is continuing to work on two large, complex cases from the previous year that require extra resources. Because of the unpredictable nature of enforcement cases, we now believe a number of large cases will also be occupying the division's attention in the upcoming fiscal year. For this reason, the division is increasing the estimated average for FY 09.

Item 8. Average age of all cases pending in enforcement at the end of the fiscal year was underestimated. Position vacancy in the legal section pending recruitment resulted in a backlog and delay of cases being closed. In addition, the legal section is continuing to work on two large cases from the previous year that required extra resources. Because of the unpredictable nature of enforcement cases, we now believe a number of large cases will also be occupying the division's attention in the

upcoming fiscal year. For this reason, the division is increasing the estimated average for FY 09.

Item 9. Total dollar amount of penalties imposed was overestimated. The reason for this discrepancy is that the amount imposed in enforcement cases is dependent on the cases the public reports to our office within the year, the cases resolved within the year and the specific facts and grievances of a case. The division can neither predict nor control these factors and, accordingly, any thoughtful or effective estimates for this number cannot be determined. We have increased the estimate for FY 09 in anticipation of several global settlements.

Item 10. Total dollar amount of fines collected was overestimated. The reason for this discrepancy is that the amount collected is in part dependent on the amount imposed in enforcement cases which is, in turn, an unpredictable number that turns on factors the division cannot predict or control. It depends greatly on public reporting to our office, the cases resolved within the year and the specific facts and grievances of a case. This is the reason that any thoughtful or effective estimates for this number cannot be determined. Because of this, in the future, we will be requesting a modification of this measure of effectiveness

### **PART III - PROGRAM TARGET GROUPS**

Item 1. The number was overestimated. Due to the current economy, filings are down and we estimate they will continue to decline next year. In addition, we have moved the annual filing system online and anticipate sending out significantly fewer paper annual documents to the public. For that reason, we have reduced the estimate significantly for FY 09.

### **PART IV - PROGRAM ACTIVITIES**

Item 1. The number of documents sent out by DRB has been reduced significantly in FY 09 due to the efforts of the Division to make the filings more easily accessible online and to reduce paper mailings in the effort to "go green".



## **VARIANCE REPORT NARRATIVE FY 2008 AND FY 2009**

**10 01 04 03  
CCA 111**

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**PROGRAM TITLE: BUSINESS REGISTRATION & SECURITIES REGULATN**

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Item 4. The number of disciplinary/enforcement related inquiries was overestimated. The number of inquiries fluctuates depending on the public. The estimated number fell within the range of the past three years. In addition, the division is adjusting the estimates slightly downward to reflect more accurate estimate of inquiries.

Item 5. The number of cases completed in investigation during the fiscal year was underestimated. The caseload fluctuates. In some years, there are fewer cases involving more complainants whereas in other years there are more cases involving fewer victims per case. In addition, the division has improved screening techniques to more efficiently open cases that may lead to action and not opening cases that would most likely not result in action. This efficiency reduced the number of investigation cases taken in and resolved.

Item 6. The number of enforcement cases closed during the fiscal year was underestimated. The caseload fluctuates. In some years, there are fewer cases involving more complainants whereas in other years there are more cases involving fewer victims per case. In the current year, more cases were completed than planned.



## STATE OF HAWAII

## VARIANCE REPORT

REPORT V61

PROGRAM TITLE:

REGULATED INDUSTRIES COMPLAINTS OFFICE

PROGRAM-ID:

CCA-112

PROGRAM STRUCTURE NO: 10010404

12/13/08

	FISCAL YEAR 2007-08				THREE MONTHS ENDED 09-30-08				NINE MONTHS ENDING 06-30-09			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
RESEARCH & DEVELOPMENT COSTS												
POSITIONS												
EXPENDITURES (\$1,000's)												
<b>OPERATING COSTS</b>												
POSITIONS	65.00	57.00	- 8.00	12	65.00	59.00	- 6.00	9	65.00	65.00	+ 0.00	0
EXPENDITURES (\$1000's)	5,253	4,515	- 738	14	1,190	1,153	- 37	3	4,127	4,374	+ 247	6
<b>TOTAL COSTS</b>												
POSITIONS	65.00	57.00	- 8.00	12	65.00	59.00	- 6.00	9	65.00	65.00	+ 0.00	0
EXPENDITURES (\$1000's)	5,253	4,515	- 738	14	1,190	1,153	- 37	3	4,127	4,374	+ 247	6
					FISCAL YEAR 2007-08				FISCAL YEAR 2008-09			
					PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%
<b>PART II: MEASURES OF EFFECTIVENESS</b>												
1. # CONSUMERS DIRECTLY AFFECTED BY RICO ACTIONS(000)					100	98	- 2	2	100	100	+ 0	0
2. # BUSINESSES DIRECTLY AFFECTED BY INVESTIGATIONS					2000	2619	+ 619	31	2000	2000	+ 0	0
3. DOLLAR AMOUNT OF FINES ASSESSED					1000000	1543000	+ 543000	54	1000000	1000000	+ 0	0
<b>PART III: PROGRAM TARGET GROUP</b>												
1. DE FACTO POPULATION IN HAWAII (000)					1425	1406	- 19	1	1440	1421	- 19	1
2. LICENSEES (000)					267	126	- 141	53	267	126	- 141	53
3. BOARDS & COMMISSIONS ADMIN ASSIGNED TO DCCA					45	45	+ 0	0	45	45	+ 0	0
<b>PART IV: PROGRAM ACTIVITY</b>												
1. # INQUIRIES RECEIVED BY RICO					15000	14070	- 930	6	15000	15000	+ 0	0
2. # COMPLAINTS RECEIVED					3800	3670	- 130	3	3800	3700	- 100	3
3. # LEGAL ACTIONS					300	415	+ 115	38	300	300	+ 0	0
4. # COMPLAINT HISTORY INQUIRIES RECEIVED BY RICO					65000	60473	- 4527	7	65000	60000	- 5000	8
5. # PERSONS REACHED THROUGH EDUCATIONAL EFFORTS					85000	77165	- 7835	9	85000	85000	+ 0	0
6. # ASSISTS ON DEPT/NON-RICO MATTERS BY NI OFFICES					8500	8108	- 392	5	8500	8250	- 250	3



## **VARIANCE REPORT NARRATIVE FY 2008 AND FY 2009**

10 01 04 04  
CCA 112

**PROGRAM TITLE: REGULATED INDUSTRIES COMPLAINTS OFFICE**

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### **PART I - EXPENDITURES AND POSITIONS**

Positions and Expenditures. The variances are generally attributed to vacant positions. Six positions were filled in early FY 09.

### **PART II - MEASURES OF EFFECTIVENESS**

Item 2. The number reflects a smaller number than last year but larger number than anticipated.

Item 3. This number reflects the results of larger numbers of cases being forwarded for prosecution and the larger number of prosecutions.

### **PART III - PROGRAM TARGET GROUPS**

Item 2. Represents current licensees only.

### **PART IV - PROGRAM ACTIVITIES**

Item 3. This number reflects the results of restructuring in the legal branch, which has translated into more legal actions being filed and more fines assessed.



## STATE OF HAWAII

PROGRAM TITLE:

GENERAL SUPPORT

PROGRAM-ID:

CCA-191

PROGRAM STRUCTURE NO: 100105

## VARIANCE REPORT

REPORT V61

12/13/08

	FISCAL YEAR 2007-08				THREE MONTHS ENDED 09-30-08				NINE MONTHS ENDING 06-30-09				
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%	
PART I: EXPENDITURES & POSITIONS													
RESEARCH & DEVELOPMENT COSTS	POSITIONS	EXPENDITURES (\$1,000's)											
OPERATING COSTS	POSITIONS	EXPENDITURES (\$1000's)											
TOTAL COSTS	POSITIONS	EXPENDITURES (\$1000's)											



## VARIANCE REPORT NARRATIVE FY 2008 AND FY 2009

10 01 05  
CCA 191

### PROGRAM TITLE: GENERAL SUPPORT

#### **PART I - EXPENDITURES AND POSITIONS**

Expenditures: Variances resulted primarily from under-expenditures for personnel.

#### **PART II - MEASURES OF EFFECTIVENESS**

Item 7. The decrease in effectiveness is attributed to unanticipated changes in project scope and requirement that caused projects to run longer than they should.

#### **PART III - PROGRAM TARGET GROUPS**

Item 2. The planned number of other licensees regulated by the Insurance Division was inadvertently reported twice, resulting in a variance.

#### **PART IV - PROGRAM ACTIVITIES**

Item 1. The decrease in the number of written notices issued by hearings officers regarding procedural events is a reflection of the decrease in the number of cases filed with, and heard by, the Office of Administrative Hearings in FY 07-08.

Item 2. The decrease in the number of pre-hearing events reflects the anomalous decrease in the number of cases filed with the Office of Administrative Hearings in FY 07-08, and the concomitant number of procedurally required pre-hearing conferences and status conferences.

Item 3. The decrease in the number of hearings conducted by the Office of Administrative Hearings in FY07-08, is a reflection of the decrease in the number of cases filed.

Item 4. The decrease in the number of recommended orders is a reflection of the decrease in the number of cases filed with, and heard by, the Office of Administrative Hearings in FY07-08.

Item 5. The increase of presentations and attendance at events is due to

increase in requests and available events for the year.

Items 6 & 7. The decrease is due to maturing and increasingly more stable information technology systems. Higher activity in prior years due to a move of buildings and push to move systems on-line affected the average planned numbers.



## STATE OF HAWAII

PROGRAM TITLE:

ENFORCEMENT OF INFORMATION PRACTICES

PROGRAM-ID:

LTG-105

PROGRAM STRUCTURE NO: 1002

## VARIANCE REPORT

REPORT V61

12/13/08

	FISCAL YEAR 2007-08					THREE MONTHS ENDED 09-30-08					NINE MONTHS ENDING 06-30-09				
	BUDGETED	ACTUAL	± CHANGE		%	BUDGETED	ACTUAL	± CHANGE		%	BUDGETED	ESTIMATED	± CHANGE		%
PART I: EXPENDITURES & POSITIONS															
RESEARCH & DEVELOPMENT COSTS	POSITIONS	EXPENDITURES (\$1,000's)													
OPERATING COSTS	POSITIONS	EXPENDITURES (\$1000's)													
TOTAL COSTS	POSITIONS	EXPENDITURES (\$1000's)													



## VARIANCE REPORT NARRATIVE FY 2008 AND FY 2009

**PROGRAM TITLE: ENFORCEMENT OF INFORMATION PRACTICES**

10 02  
LTG 105

### **PART I - EXPENDITURES AND POSITIONS**

Decrease in budgeted expenditures due to vacancy in director (5 months) and staff attorney (8 months) positions; one employee was on paternity leave without pay (3 months). Also, a 1% mandatory budget restriction imposed which affected personal services allocation.

### **PART II - MEASURES OF EFFECTIVENESS**

Items 1, 2, 3 and 4: Actual percentages less than planned due to lack of sufficient staffing and transition of new director in second quarter. Staff also expended resources in defending against a lawsuit brought by Kauai County against OIP. Measures are also lower than planned due in part because of diversion of staff resources to provide training to state/county agencies and boards.

Item 6: No variance provided this fiscal year. Although OIP did provide UIPA and Sunshine Law training, OIP did not conduct its regular annual new board member training due to staff shortage. New board member training data generally obtained as a result of that training session.

Item 7: Planned number was too low given the requirement for agencies to comply. Also, RRS database reflects records reported, updated and indicates continuing compliance by agencies.

Item 8: Actual number is lower than planned due to staffing issues and diversion of staff resources to other office functions.

Item 9: See Item 6 above.

### **PART III - PROGRAM TARGET GROUPS**

No variances.

### **PART IV - PROGRAM ACTIVITIES**

Items 2, 3, 4 and 5: Planned number is difficult to accurately set because it is driven by requests received. See also Part II, Items 1-4.

Item 8: See Part II, Item 8.

Item 9: Planned amount should be updated to reflect a more realistic count as noted in the actual count. See also Part II, Item 7.

Item 10: See Part II, Items 1-4 and Part II, Item 6.



## VARIANCE REPORT

PROGRAM TITLE:

LEGAL &amp; JUDICIAL PROTECTION OF RIGHTS

12/13/08

PROGRAM-ID:

PROGRAM STRUCTURE NO: 1003

	FISCAL YEAR 2007-08				THREE MONTHS ENDED 09-30-08				NINE MONTHS ENDING 06-30-09			
	BUDGETED	ACTUAL	+ CHANGE	%	BUDGETED	ACTUAL	+ CHANGE	%	BUDGETED	ESTIMATED	+ CHANGE	%
PART I: EXPENDITURES & POSITIONS												
RESEARCH & DEVELOPMENT COSTS												
POSITIONS												
EXPENDITURES (\$1,000's)												
OPERATING COSTS												
POSITIONS	142.00	131.00	- 11.00	8	143.00	133.00	- 10.00	7	143.00	143.00	+ 0.00	0
EXPENDITURES (\$1000's)	13,603	13,881	+ 278	2	3,429	3,154	- 275	8	10,089	10,893	+ 804	8
TOTAL COSTS												
POSITIONS	142.00	131.00	- 11.00	8	143.00	133.00	- 10.00	7	143.00	143.00	+ 0.00	0
EXPENDITURES (\$1000's)	13,603	13,881	+ 278	2	3,429	3,154	- 275	8	10,089	10,893	+ 804	8
					FISCAL YEAR 2007-08				FISCAL YEAR 2008-09			
					PLANNED	ACTUAL	+ CHANGE	%	PLANNED	ESTIMATED	+ CHANGE	%
PART II: MEASURES OF EFFECTIVENESS												
1. % ATTORNEY CASELDS EXCEED NATL STD FOR FELONY CASES					5	5	+ 0	0	5	5	+ 0	0



Intermediate Level Program  
No Narrative  
(See Lowest Level Programs for Explanation of Variances)



## STATE OF HAWAII

PROGRAM TITLE:

OFFICE OF THE PUBLIC DEFENDER

PROGRAM-ID:

BUF-151

PROGRAM STRUCTURE NO: 100301

## VARIANCE REPORT

REPORT V61

12/13/08

	FISCAL YEAR 2007-08					THREE MONTHS ENDED 09-30-08					NINE MONTHS ENDING 06-30-09				
	BUDGETED	ACTUAL	± CHANGE		%	BUDGETED	ACTUAL	± CHANGE		%	BUDGETED	ESTIMATED	± CHANGE		%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>															
RESEARCH & DEVELOPMENT COSTS															
POSITIONS															
EXPENDITURES (\$1,000's)															
<b>OPERATING COSTS</b>															
POSITIONS	81.00	78.00	-	3.00	4	82.00	80.00	-	2.00	2	82.00	82.00	+	0.00	0
EXPENDITURES (\$1000's)	9,262	9,504	+	242	3	2,379	2,292	-	87	4	6,941	7,554	+	613	9
<b>TOTAL COSTS</b>															
POSITIONS	81.00	78.00	-	3.00	4	82.00	80.00	-	2.00	2	82.00	82.00	+	0.00	0
EXPENDITURES (\$1000's)	9,262	9,504	+	242	3	2,379	2,292	-	87	4	6,941	7,554	+	613	9
<b>PART II: MEASURES OF EFFECTIVENESS</b>						FISCAL YEAR 2007-08				FISCAL YEAR 2008-09					
						PLANNED	ACTUAL	± CHANGE		%	PLANNED	ESTIMATED	± CHANGE		%
1. % ATTORNY CASELDS EXCEED NATL STD FOR FELONY CASES						5	5	+	0	0	5	5	+	0	0
2. % ATTRNY CASELDS EXCEED NATL STD FOR MISDMNR CASES						362	447	+	85	23	259	458	+	199	77
3. % ATTORNY CASELDS EXCEED NATL STD FOR FAMLY COURT						218	180	-	38	17	181	186	+	5	3
4. % ATTRNY CASELDS EXCEED NATL STD FOR APPEALS CASES						5	5	+	0	0	5	5	+	0	0
5. ANNL # TRNG HRS COMPL BY PROF STAFF AS % PLNND HRS						90	90	+	0	0	90	90	+	0	0
<b>PART III: PROGRAM TARGET GROUP</b>															
1. INDIGENTS REQUIRING SERVICES FOR FELONY CASES						5308	5131	-	177	3	5414	5234	-	180	3
2. INDIGENTS REQUIRING SERVICES FOR MISDEMEANOR CASES						30641	35024	+	4383	14	31254	35724	+	4470	14
3. INDIGENTS REQUIRING SERVICES FOR APPEALS CASES						109	130	+	21	19	111	133	+	22	20
4. INDIGENTS REQUIRNG SVCS FOR MENTAL COMMITMNT CASES						266	221	-	45	17	271	225	-	46	17
5. INDIGENTS REQUIRNG SERVICES FOR FAMILY COURT CASES						8749	7278	-	1471	17	8924	7424	-	1500	17
6. INDIGENTS REQUIRING SERVICES FOR PRISON CASES						2052	2065	+	13	1	2093	2106	+	13	1
<b>PART IV: PROGRAM ACTIVITY</b>															
1. CASES ACCEPTED - FELONY						4729	4595	-	134	3	4824	4687	-	137	3
2. CASES ACCEPTED - MISDEMEANOR						29590	33847	+	4257	14	30182	34524	+	4342	14
3. CASES ACCEPTED - FAMILY COURT						8253	6036	-	2217	27	8418	6157	-	2261	27
4. CASES ACCEPTED - APPEAL						109	130	+	21	19	111	133	+	22	20
5. CASES ACCEPTED - MENTAL COMMITMENT						266	221	-	45	17	271	225	-	46	17
6. CASES ACCEPTED - PRISON						2052	2065	+	13	1	2093	2106	+	13	1



## **VARIANCE REPORT NARRATIVE FY 2008 AND FY 2009**

10 03 01  
BUF 151

**PROGRAM TITLE: OFFICE OF THE PUBLIC DEFENDER**

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### **PART I - EXPENDITURES AND POSITIONS**

FY 2007-08

The variance in expenditures and positions in FY 08 were primarily due to vacant positions. These vacant positions have been filled.

FY 2008-09

Expenditure and positions - The 1st quarter variance in positions are due to two vacant positions. These two vacant positions are expected to be filled by the end of the fiscal year with due consideration given to Executive policy currently in place. The variance in expenditures is due to two vacant positions and current expense costs that were lower during the 1st quarter than planned. For the remainder of FY 09, we are anticipating to expend funds as planned.

### **PART II - MEASURES OF EFFECTIVENESS**

The significant variances in measure of effectiveness #2 and #3 reflect the unpredictability in the annual number of indigent persons who require legal services in criminal cases which impacts on these measures. These measures indicate a higher caseload per attorney ratio for the Office of the Public Defender when compared to the national standards.

### **PART III - PROGRAM TARGET GROUPS**

The significant variances in program target groups #2, #3, #4, and #5 reflect the unpredictability in the annual number of indigent persons who require legal services in criminal cases which impacts on these measures.

### **PART IV - PROGRAM ACTIVITIES**

The significant variances in program activities #2, #3, #4, and #5 follows the variances in program target group numbers that are reflected in Part III.



## STATE OF HAWAII

PROGRAM TITLE:

CONVEYANCES AND RECORDINGS

PROGRAM-ID:

LNR-111

PROGRAM STRUCTURE NO: 100303

## VARIANCE REPORT

REPORT V61

12/13/08

PART I: EXPENDITURES & POSITIONS RESEARCH & DEVELOPMENT COSTS POSITIONS EXPENDITURES (\$1,000's)  OPERATING COSTS POSITIONS EXPENDITURES (\$1000's)  TOTAL COSTS POSITIONS EXPENDITURES (\$1000's)	FISCAL YEAR 2007-08				THREE MONTHS ENDED 09-30-08				NINE MONTHS ENDING 06-30-09						
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%			
	60.00	53.00	-	7.00	12	60.00	52.00	-	8.00	13	60.00	60.00	+	0.00	0
	4,133	4,203	+	70	2	1,010	843	-	167	17	3,030	3,200	+	170	6
	60.00	53.00	-	7.00	12	60.00	52.00	-	8.00	13	60.00	60.00	+	0.00	0
	4,133	4,203	+	70	2	1,010	843	-	167	17	3,030	3,200	+	170	6

PART II: MEASURES OF EFFECTIVENESS  1. NO. DAYS BETWN RECORDING & COMPLETN - REGULAR SYS 2. NO. DAYS BETWN RECORDING & COMPLETION - LAND COURT 3. NO. DAYS BETWEEN REQUEST & COMPLETION-CERT COPIES 4. NO. DAYS BETWEEN REQUEST & COMPLETN - UCC SEARCHES 5. NO. DAYS BETW DOC SEARCH/COPY REQUEST & COMPLETION	FISCAL YEAR 2007-08				FISCAL YEAR 2008-09					
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%		
	10	7	-	3	30	10	7	-	3	30
	28	NO DATA	-	28	100	28	60	+	32	114
	1	1	+	0	0	1	1	+	0	0
	1	2	+	1	100	1	2	+	1	100
	1	2	+	1	100	1	2	+	1	100

PART III: PROGRAM TARGET GROUP  1. NUMBER OF DOCUMENTS RECORDED - REGULAR SYSTEM 2. NUMBER OF DOCUMENTS RECORDED - LAND COURT 3. LAND COURT CERTIFICATES OF TITLE ISSUED 4. LAND COURT ORDERS RECORDED 5. MAPS FILED - LAND COURT AND REGULAR SYSTEM 6. CERTIFIED COPIES REQUESTED - LAND COURT & REG SYS 7. UNIFORM COMMERCIAL CODE SEARCHES REQUESTED	FISCAL YEAR 2007-08				FISCAL YEAR 2008-09					
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%		
	205000	212132	+	7132	3	205000	190000	-	15000	7
	105000	145776	+	40776	39	105000	105000	+	0	0
	30000	54519	+	24519	82	30000	43000	+	13000	43
	3800	4362	+	562	15	3800	3800	+	0	0
	175	176	+	1	1	175	160	-	15	9
	140000	130000	-	10000	7	140000	130000	-	10000	7
	500	220	-	280	56	500	220	-	280	56

PART IV: PROGRAM ACTIVITY  1. NO. OF DOCUMENTS PROCESSED - REGULAR SYSTEM 2. NO. OF DOCUMENTS PROCESSED - LAND COURT 3. LAND COURT CERTIFICATES OF TITLE PRODUCED 4. LAND COURT ORDERS PROCESSED 5. MAPS PROCESSED - LAND COURT AND REGULAR SYSTEM 6. CERTIFIED COPIES PROCESSED 7. UNIFORM COMMERCIAL CODE RECORD SEARCHES PROCESSED	FISCAL YEAR 2007-08				FISCAL YEAR 2008-09					
	PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%		
	130000	212000	+	82000	63	130000	190000	+	60000	46
	95000	112633	+	17633	19	95000	100000	+	5000	5
	25000	34969	+	9969	40	25000	30000	+	5000	20
	2500	3202	+	702	28	2500	3000	+	500	20
	175	175	+	0	0	175	175	+	0	0
	133000	130000	-	3000	2	133000	130000	-	3000	2
	500	220	-	280	56	500	220	-	280	56



## VARIANCE REPORT NARRATIVE FY 2008 AND FY 2009

10 03 03  
LNR 111

### PROGRAM TITLE: CONVEYANCES AND RECORDINGS

#### PART I - EXPENDITURES AND POSITIONS

For FY08, the variance between budgeted and actual number of positions filled was due to delays in obtaining approval to fill. The variance in expenditures for FY09 is due to vacancy savings.

maintained at a consistent level.

The UCC search requests were inappropriately forecast for FY08 and FY09. The Bureau has completed 220 searches for FY08 and is on track with the same volume for FY09.

#### PART II - MEASURES OF EFFECTIVENESS

The decrease in real estate activity has allowed the Bureau staff to complete requests for Uniform Commercial Code (UCC) and document searches in a timely manner.

The increase in real estate activity in 2004, 2005 and 2006 led to a greater number of days between recording and completion of Land Court documents, due to the thorough verification of documents, as ownership of Land Court property is guaranteed by the State. In FY08 with the slowdown in recording activity, the verification process has become a staff priority, with a greater number of documents being checked, although there still exists a backlog in review. For FY09, the verification completion will shorten to a reasonable number of days.

All documents recorded in the Regular System are completed within 7 business days.

#### PART III - PROGRAM TARGET GROUPS

For FY09, the decrease in the number of recorded documents for both Regular and Land Court systems is due to a decrease in real estate activity and mortgage refinancing.

The increase in the number of certificates of title issued and land court orders recorded is due to the increased volume of time share transactions involving land court property for FY08. In FY09, the volume is declining due to the market slowdown.

The number of maps being filed and the number of copies requested has

#### PART IV - PROGRAM ACTIVITIES

The increase in the number of processed documents for both Regular and Land Court systems is due to greater efficiency in the turnaround time for the processing of documents.

The number of certified copies, maps and Uniform Commercial Code searches remain at a consistent level to efficiencies within the Bureau.

The increase in the number of land court orders processed and certificates of title produced is due to the increased priority in the verification of Land Court documents.



## STATE OF HAWAII

PROGRAM TITLE:

PROGRAM-ID:

PROGRAM STRUCTURE NO: 100304

COMMISSION ON THE STATUS OF WOMEN

HMS-888

## VARIANCE REPORT

REPORT V61

12/13/08

	FISCAL YEAR 2007-08				THREE MONTHS ENDED 09-30-08				NINE MONTHS ENDING 06-30-09			
	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ACTUAL	± CHANGE	%	BUDGETED	ESTIMATED	± CHANGE	%
<b>PART I: EXPENDITURES &amp; POSITIONS</b>												
RESEARCH & DEVELOPMENT COSTS												
POSITIONS												
EXPENDITURES (\$1,000's)												
<b>OPERATING COSTS</b>												
POSITIONS	1.00	0.00	-	1.00	1.00	1.00	+	0.00	1.00	1.00	+	0.00
EXPENDITURES (\$1000's)	208	174	-	34	40	19	-	21	118	139	+	21
<b>TOTAL COSTS</b>												
POSITIONS	1.00	0.00	-	1.00	1.00	1.00	+	0.00	1.00	1.00	+	0.00
EXPENDITURES (\$1000's)	208	174	-	34	40	19	-	21	118	139	+	21
					FISCAL YEAR 2007-08				FISCAL YEAR 2008-09			
					PLANNED	ACTUAL	± CHANGE	%	PLANNED	ESTIMATED	± CHANGE	%
<b>PART II: MEASURES OF EFFECTIVENESS</b>												
1. NO. WOMEN ON STATE BOARDS & COMMISSIONS AS % TOTAL					40	40	+	0	40	40	+	0
2. NO. WOMEN ELECTED TO LEG OFFICE AS % TOTAL SEATS					25	25	+	0	25	25	+	0
3. NO. WOMEN REGISTRD TO VOTE AS % TOTAL REGIS VOTERS					52	52	+	0	52	52	+	0
4. NO. WOMEN VOTING AS % TOTAL POPULATN ELGBL TO VOTE					35	35	+	0	35	35	+	0
5. # LAWS RE WOMENS ISSUES ENACT/REVISE AS % ADVOCATE					20	20	+	0	20	20	+	0
6. % OF STATE POPULATION REACHED BY COMMISSION PROGMS					75	75	+	0	75	75	+	0
7. NO. OF INQUIRIES TO COMMISSION ON WOMEN'S ISSUES					2232	2232	+	0	2232	2232	+	0
<b>PART III: PROGRAM TARGET GROUP</b>												
1. TOTAL STATE POPULATION (THOUSANDS)					1406	1406	+	0	1406	1406	+	0
2. TOTAL STATE FEMALE POPULATION (THOUSANDS)					719	719	+	0	719	719	+	0
3. WOMEN IN LABOR FORCE (THOUSANDS) (AVERAGE)					300	300	+	0	300	300	+	0
4. FEMALES BETWEEN THE AGES OF 15 TO 64 (THOUSANDS)					453	453	+	0	453	453	+	0
5. FEMALES OVER 65 (THOUSANDS)					109	109	+	0	109	109	+	0
<b>PART IV: PROGRAM ACTIVITY</b>												
1. NUMBER OF INTER-ORGANIZATION/AGENCY MEETINGS					300	300	+	0	300	300	+	0
2. NO. OF EDUC/INFO MATERIALS PRODUCED AND CIRCULATED					350000	350000	+	0	350000	350000	+	0
3. NO. PROJ/EVENTS INITIATED, CO-SPONSORD OR SUPPORTD					200	200	+	0	200	200	+	0
4. # VOLUNTEERS/STAFF PARTICPTG IN PROJS/EVENTS (HRS)					200	200	+	0	200	200	+	0
5. NO. OF NATIONAL & INTNTL TECH ASSIST/INFO CONTACTS					200	200	+	0	200	200	+	0
6. NO. SPEAKING ENGAGEMENTS BY COMMISSIONERS & STAFF					36	36	+	0	36	36	+	0
7. NUMBER OF BILLS RESEARCHED, INITIATED, SUPPORTED					50	50	+	0	50	50	+	0
8. NUMBER OF PAY EQUITY WORKING GROUP SEMINARS					NO DATA	10	+	10	NO DATA	10	+	10
9. NO. ORAL HISTORY INTERVIEWS ADDED TO COMM COLLECTN					NO DATA	1	+	1	NO DATA	1	+	1



## **VARIANCE REPORT NARRATIVE FY 2008 AND FY 2009**

**PROGRAM TITLE: COMMISSION ON THE STATUS OF WOMEN**

**10 03 04  
HMS 888**

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### **PART I - EXPENDITURES AND POSITIONS**

Item 1: The variance was due to an open personnel position through September 30, 2008. The position has been filled as of October 1, 2008.

Item 2: The variance was due to an open personnel position through September 30, 2008. the position has been filled as of october 1 2008.

### **PART II - MEASURES OF EFFECTIVENESS**

No significant variance.

### **PART III - PROGRAM TARGET GROUPS**

No significant variance.

### **PART IV - PROGRAM ACTIVITIES**

No significant variance.